




The Under Secretary of Energy
Washington, DC 20585

January 20, 2006

**MEMORANDUM FOR THE HEADS OF ENERGY, SCIENCE AND
ENVIRONMENT DEPARTMENTAL ELEMENTS**

FROM: DAVID K. GARMAN 
**UNDER SECRETARY FOR ENERGY, SCIENCE
AND ENVIRONMENT**
SUBJECT: 72-Hour Prior Notifications

With the beginning of the New Year, I want to take this opportunity to reiterate the need for you and your program offices, field offices, and Laboratories to notify the Office of Congressional and Intergovernmental Affairs (CI) about upcoming items of interest to Members of Congress and the public. It is vitally important that information about all items of interest to Congress be provided in advance so that CI may coordinate an appropriate strategy with you for communicating to affected Governors, Senators, Representatives, and local and Tribal governments.

Since early in this Administration the Department has had in effect a 72-Hour Prior Notification policy that requires you to transmit relevant information concerning upcoming announcements to CI. Notification is required no later than three business days prior to release, and your notification should include a specific release date. Please note that grant and contract actions are already being handled through a separate formalized process that does not change.

In order to simplify the process for such notifications, the attached template is available for your convenience in order that you may electronically transmit notifications to CI. In addition to completing the attached template, each notification should include:

- o Talking Points that may be used by CI in making Congressional notifications
- o A draft paragraph summarizing the issue, which may be provided to Congress
- o A draft press release (if applicable)



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All procurement-sensitive information should be marked as such and treated appropriately.

Please distribute this Memorandum to the senior leadership in your Headquarters and field offices and Laboratory Directors and their staff. I also ask that you make the 72-Hour Prior Notification Requirement a formal step in your communication process.

Following is the type of information you should report to CI under the 72-Hour Prior Notification system. Please note, however, that this list is not all-inclusive and you should report any information that you believe to be of interest to Congress, State, local or Tribal officials.

Procurement-Related Items

- o Acquisitions
- o Draft and Final RFP's of \$1 million or more (or termination of RFP)
- o Draft and Final EIS's
- o Records of Decision (ROD)
- o Expressions of Interest
- o Risk-Based End State Vision Documents
- o Achieving Major Milestones by DOE or Facility Management or Contractor
- o Closure of a Facility by DOE or Facility Management or Contractor
- o Termination of DOE Contracts
- o Significant small business awards

Workforce-Related Items

- o Work Force Restructuring by DOE or Facility Management or Contractors
- o Reductions in Force or Layoffs at DOE Facilities
- o Appointment of senior DOE Field officials

Laboratory or Field Office Activities

- o Opening a New Office by DOE
- o Field Office Public Meetings by DOE or Facility Management Contractor
- o Small Business Conferences hosted by DOE or Contractor
- o Citizen Advisory Board Meetings
- o Response plans resulting from any accident, environmental damage, etc. (immediately when available)
- o Achievement of any significant scientific breakthrough (if it warrants press attention, Congressional notification may also be required)
- o Contractor fee reductions or penalties

Reports/Studies

- o Release of Congressionally mandated reports or studies, or other reports or studies of interest to Congress and the public

Other

- o Any other issues that would be of interest to Congress or State, local, or Tribal governments.

While the policy outlined above requires 72-Hour Prior Notification of many types of announcements, there are often major announcements that need to be brought to CI's attention further in advance. I encourage you to be forward-thinking in bringing information to CI's attention as early as possible. Also, the more information you can provide, the more effective we will be in our relationship with Congress, State, local and Tribal governments.

Thank you in advance for your continued cooperation.